

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

RICHARD R. FURSTENAU,

Plaintiff,

v.

CITY OF NAPERVILLE, a municipal  
Corporation; MICHAEL HULL, in his individual  
and official capacity; DAVID DIAL, in his  
official and individual capacity; MICHAEL  
CROSS; in his individual and official capacity;  
PETER BURCHARD, in his official and  
individual capacity; MARGO L. ELY, in her  
individual and official capacity; and JOE  
MATCHETT, in his individual an official  
capacity,

Defendants.

No. 07 C 6143

Judge Charles R. Norgle

Magistrate Judge Geraldine Soat Brown

TO: Shawn M. Collins  
John A. Sopuch, III  
The Collins Law Firm, P.C.  
1770 N. Park Street  
Suite 200  
Naperville, Illinois 60563

James G. Sotos  
John J. Timbo  
James G. Sotos & Associates, Ltd.  
550 East Devon  
Suite 150  
Itasca, IL 60143

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that on 11th day of January, 2008, at 9:30 a.m., or as soon thereafter as counsel may be heard, we shall appear before the Honorable Charles R. Norgle, or any judge sitting in his stead, presiding in courtroom 2341 of the Northern District of Illinois, Eastern Division, and then and there present Defendant City of Naperville's Motion to Dismiss Plaintiff's First Amended Complaint, copies of which is hereby served upon you.

Respectfully submitted,

CITY OF NAPERVILLE,

Richard T. Sikes, Jr.  
Terrence J. Sheahan  
Freeborn & Peters  
311 S. Wacker Drive, Suite 3000  
Chicago, Illinois 60606  
(312) 360-6000

/s/ Richard T. Sikes, Jr.  
One of Its Attorneys

Dated: December 28, 2007

**CERTIFICATE OF SERVICE**

I hereby certify that on December 28, 2007, I electronically filed the **Notice of Motion, Defendant's Motion to Dismiss Plaintiff's First Amended Complaint and Memorandum in Support of Same**, with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Shawn M. Collins  
John A. Sopuch, III  
The Collins Law Firm, P.C.  
1770 N. Park Street  
Suite 200  
Naperville, Illinois 60563  
Phone: 630-527-1595  
Fax: 630-527-1193

James G. Sotos  
John J. Timbo  
James G. Sotos & Associates, Ltd.  
550 East Devon  
Suite 150  
Itasca, IL 60143  
Phone: 630-735-3300  
Fax: 630-773-0980

/s/ Richard T. Sikes, Jr.  
Richard T. Sikes, Jr.